

AO 440 (Rev. 06/12) Summons in a Civil Action

# UNITED STATES DISTRICT COURT

for the

Southern District of West Virginia

SANITARY BOARD OF THE  
CITY OF CHARLESTON, WEST VIRGINIA

*Plaintiff(s)*

v.

GINA MCCARTHY, in her official capacity as the  
Administrator of the United States Environmental  
Protection Agency; and UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY

*Defendant(s)*

Civil Action No. 2:16-cv-03060

## SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* Ms. Gina McCarthy, Administrator  
United States Environmental Protection Agency  
1200 Pennsylvania Avenue, N.W.  
Mail Code: 1101A  
Washington, DC 20460

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are: Paul Calamita  
AQUALAW PLC  
6 S. 5th Street  
Richmond, Virginia 23219

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Date: 04/01/2016

CLERK OF COURT

s/Teresa L. Deppner  
Signature



AO 440 (Rev. 06/12) Summons in a Civil Action (Page 2)

Civil Action No. 2:16-cv-03060

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* Adminstrator Gina McCarthy, U.S. EPA  
was received by me on *(date)* April 1, 2016.

☐ I personally served the summons on the individual at *(place)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
\_\_\_\_\_, a person of suitable age and discretion who resides there,  
on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* \_\_\_\_\_, who is  
designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_; or

☐ I returned the summons unexecuted because \_\_\_\_\_; or

☒ Other *(specify)*:

Service made by certified mail this day, per Fed. R. Civ. P. 4(i)(2)

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ 0.00.

I declare under penalty of perjury that this information is true.

Date: 4/1/2016



\_\_\_\_\_  
*Server's signature*

Paul Calamita, AquaLaw PLC

\_\_\_\_\_  
*Printed name and title*

6 S. 5th St.  
Richmond, VA 23219

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc:

AO 440 (Rev. 06/12) Summons in a Civil Action

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Southern District of West Virginia

SANITARY BOARD OF THE  
CITY OF CHARLESTON, WEST VIRGINIA

*Plaintiff(s)*

v.

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Administrator of the United States Environmental  
Protection Agency; and UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY

*Defendant(s)*

Civil Action No. 2:16-cv-03060

## SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* Attorney General of the United States  
c/o Assistant Attorney General for Administration  
U.S. Department of Justice  
Justice Management Division  
950 Pennsylvania Avenue, NW  
Room 1111  
Washington, DC 20530

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Paul Calamita  
AQUALAW PLC  
6 S. 5th Street  
Richmond, Virginia 23219

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Date: 04/01/2016

CLERK OF COURT

s/Teresa L. Deppner

Signature



AO 440 (Rev. 06/12) Summons in a Civil Action (Page 2)

Civil Action No. 2:16-cv-03060

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* Attorney General of the United States  
was received by me on *(date)* April 1, 2016.

☐ I personally served the summons on the individual at *(place)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
\_\_\_\_\_, a person of suitable age and discretion who resides there,  
on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* \_\_\_\_\_, who is  
designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_; or

☐ I returned the summons unexecuted because \_\_\_\_\_; or

☒ Other *(specify)*: Service made by certified mail this day, per Fed. R. Civ. P. 4(i)(1)(B)

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ 0.00.

I declare under penalty of perjury that this information is true.

Date: April 1, 2016

  
\_\_\_\_\_  
*Server's signature*

Paul Calamita, AquaLaw PLC  
\_\_\_\_\_  
*Printed name and title*

6 S. 5th Street  
Richmond, VA 23219  
\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc:

AO 440 (Rev. 06/12) Summons in a Civil Action

# UNITED STATES DISTRICT COURT

for the

Southern District of West Virginia

SANITARY BOARD OF THE  
CITY OF CHARLESTON, WEST VIRGINIA

*Plaintiff(s)*

v.

GINA MCCARTHY, in her official capacity as the  
Administrator of the United States Environmental  
Protection Agency; and UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY

*Defendant(s)*

Civil Action No. 2:16-cv-03060

## SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* Civil-Process Clerk  
United States Attorney's Office  
Southern District of West Virginia  
Suite 4000  
300 Virginia Street  
Charleston, WV 25301

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are: Paul Calamita  
AQUALAW PLC  
6 S. 5th Street  
Richmond, Virginia 23219

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Date: 04/01/2016

CLERK OF COURT

s/Teresa L. Deppner

Signature



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Civil Action No. 2:16-cv-03060

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* United States Attorney for the S.D.W.V.  
was received by me on *(date)* April 1, 2016.

☐ I personally served the summons on the individual at *(place)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
\_\_\_\_\_, a person of suitable age and discretion who resides there,  
on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* \_\_\_\_\_, who is  
designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_; or

☐ I returned the summons unexecuted because \_\_\_\_\_; or

☒ Other *(specify)*:  
Service made by certified mail this day, per Fed. R. Civ. P. 4(i)(1)(A)(ii)

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ 0.00.

I declare under penalty of perjury that this information is true.

Date: April 1, 2016

  
\_\_\_\_\_  
*Server's signature*

Paul Calamita, AquaLaw PLC  
\_\_\_\_\_  
*Printed name and title*

6 S. 5th Street  
Richmond, VA 23219  
\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc:

7011 1570 0002 1569 0245

# U.S. Postal Service<sup>TM</sup>

## CERTIFIED MAIL<sup>TM</sup> RECEIPT

(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at [www.usps.com](http://www.usps.com)

WASHINGTON, DC 20530

Postage	\$3.45
Certified Fee	\$2.80
Return Receipt Fee (Endorsement Required)	\$0.00
Restricted Delivery Fee (Endorsement Required)	\$0.00
Total Postage & Fees	\$1.36

0065 14

Postmark Here

To: Attorney General of the United States  
 c/o Assistant Attorney General for Administration  
 U.S. Department of Justice  
 Justice Management Division  
 950 Pennsylvania Ave., NW  
 Room 1111  
 Washington, DC 20530

7011 1570 0002 1569 0238

# U.S. Postal Service<sup>TM</sup>

## CERTIFIED MAIL<sup>TM</sup> RECEIPT

(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at [www.usps.com](http://www.usps.com)

WASHINGTON, DC 20460

Postage	\$3.45
Certified Fee	\$2.80
Return Receipt Fee (Endorsement Required)	\$0.00
Restricted Delivery Fee (Endorsement Required)	\$0.00
Total Postage & Fees	\$1.36

0065 14

Postmark Here

Sent To: Ms. Gina McCarthy, Administrator  
 United States Environmental Protection Agency  
 1200 Pennsylvania Ave., N.W.  
 Mail Code: 1101A  
 Washington, DC 20460

7011 1570 0002 1569 0221

# U.S. Postal Service<sup>TM</sup>

## CERTIFIED MAIL<sup>TM</sup> RECEIPT

(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at [www.usps.com](http://www.usps.com)

CHARLESTON, WV 25301

Postage	\$3.45
Certified Fee	\$2.80
Return Receipt Fee (Endorsement Required)	\$0.00
Restricted Delivery Fee (Endorsement Required)	\$0.00
Total Postage & Fees	\$1.36

0065 14

Postmark Here

Sent To: Civil-Process Clerk  
 United States Attorney's Office  
 Southern District of West Virginia  
 Suite 4000  
 300 Virginia Street  
 Charleston, WV 25301